

**WASHINGTON STATE
DEPARTMENT OF HEALTH
BOARD OF PHYSICAL THERAPY
PUBLIC MEETING MINUTES**

Tuesday, November 15, 2005

Department of Health, CenterPoint, 20435 72nd Ave S STE 200, Kent, WA.

On November 15, 2005, the Board of Physical Therapy met at the Department of Health, CenterPoint, 20435 72nd Ave S STE 200, Kent, WA.. In accordance with the Open Public Meetings Act, notices were sent to individuals requesting notification of meetings.

MEMBERS PRESENT

CHARLES MARTIN, PT, CHAIR
PAULA DILLON MAYS, PT, VICE-CHAIR
SU SAWYER, PUBLIC MEMBER
PATRICIA R. MUCHMORE, PT, PRO TEM
BRETT WINDSOR, PT
MARSHA MELNICK, PT

STAFF PRESENT

JOY KING, EXECUTIVE DIRECTOR
JENNIFER BRESSI, HEALTH SERVICES CONSULTANT 1
MELISSA BURKE-CAIN, AAG
PETER HARRIS, STAFF ATTORNEY
JOSH SHIPE, DISCIPLINARY PROGRAM MANAGER

GUESTS PRESENT

MELISSA JOHNSON, PTWA
GAIL MCGAFFICK – WSPMA
MARTIN L. ZIONTZ – WSPMA
THOMAS BURGHARDT, DPM, WSPMA
ROGER HERR, PT, MPA, COS-C
ANITA GREGORY

OPEN SESSION

1. **CALL TO ORDER** - Charles Martin, PT, Chair called the meeting to order at 9:24 a.m. Marsha Melnick, PT was acknowledged as the Board's new member and introductions were made. Paula Mays and Sue Sawyer were unable to physically be at the meeting and were present by phone.
 - 1.1 Approval of Agenda – The agenda was approved as presented.
 - 1.2 Approval of Meeting Minutes from September 20, 2005. – The minutes were approved as presented.
2. **CORRESPONDENCE** – The Board reviewed the e-mail received from Ms. Esmond regarding the PT scope of practice. Specifically, whether or not a PT

can provide custom orthotics. RCW 18.74.010 references the Orthotics Law of RCW 18.200.010 which provides an exemption list. Staff will provide a written response to Ms. Esmond.

Mr. Martin wanted to remind board members to forward scope of practice questions to the staff so the specific question can be addressed by the full board at an open public meeting. Decision making must be made in open session meeting.

- 3. REPORT ON FEDERATION OF STATE BOARDS OF PHYSICAL THERAPY ANNUAL MEETING** – Charles Martin, PT, provided information to the Board regarding the September 2005 Federation of State Boards of Physical Therapy (FSBPT) Annual Meeting he attended in Austin, Texas. FSBPT has provided a testing accommodations guide. Washington State Americans with Disabilities Act (ADA) law may differ from federal law. The Board does not have any guidelines when accommodations are requested. Melissa Burke-Cain, AAG will review state ADA and federal ADA laws and report back to the Board. Ethics was a major topic at the meeting. Some states require specific ethics education in addition to continuing education. Georgia is one state that requires 4 hours of ethics education. Two questions asked were: has the board received complaints regarding ethics? And does the board want to review the jurisprudence exam to include ethics questions. Ms. King indicated she had received a presentation regarding generation differences for disciplinary sanctions. Ms. Mays indicated the same presentation was given at the FSBPT. Regulatory authorities are considering the generation (age) of practitioner when issuing sanctions. Studies have shown that different sanctions have more impact on one generation vs. another.

Ms. Mays indicated there was emphasis on the importance of Boards meeting on a regular basis. One state cancelled several meetings and the state determined that since they were not meeting, there was not enough business to constitute an independent Board and combined them and several others together.

The Board would like to ask FSBPT and/or Georgia if policies on ethics education show any evidence on improving behavior. The Board would like to further discuss ethical questions on the jurisprudence exam. The Board would like to know how many states have independent boards.

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- 4. CREDENTIALING AGENCIES REVIEW** – Paula Mays, PT, Vice Chair, provided the Board with an overview of the credentialing agency evaluations she reviewed from the Foreign Credentialing Commission on Physical Therapy, Inc. (FCCPT), International Education Research Foundation, Inc. (IERF), and International Consultants of Delaware, Inc. (ICD). Ms. Mays reported that FCCPT provides a tool that helps evaluators detail the education. Ms. Mays recommends after detailed review that the Board accepts any evaluation company that uses the FCCPT evaluation tool. The Board approved this recommendation. Staff will contact FSBPT to obtain a list of companies that uses this tool. Staff will update

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the Board policies to included these companies and present at the next meeting for approval. Currently ICA does not use the tool. The staff will contact ICA and give them the opportunity to obtain the tool so the Board ~~could~~ continue to use their evaluation company. By allowing several companies to provide evaluations, PT applicants will have more choices when having their education evaluated.

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5. **STUDENT LECTURES** – The Board discussed upcoming student lectures to colleges and universities of approved physical therapy and physical therapy assistant programs. Brett Windsor presented to Whatcom County Community College on November 2, 2005. University of Puget Sound is scheduled for December 6, 2005 with Patricia Muchmore presenting. Charles Martin is scheduled to present to Spokane Falls Community College on January 31, 2006. We have not received requests from University of Washington yet. We may provide a presentation to Eastern Washington University in the summer of 2006. Staff will contact EWU and UW to schedule presentations.
6. **PROGRAM REPORT** – Information provided to the Board by the Program Manager.
 - Legislative Update – The staff have been working on implementation of the new RCW language. Melissa Johnson indicated that athletic trainers are presenting a bill this session for licensure. PTWA is monitoring this legislation. Ms. King indicated that she was involved in a meeting with the athletic trainers association regarding licensure.
 - Budget Update – June 2005 interim operating report was provided. We expect budgets to be available by the next meeting.
 - Other –
 - A new support staff person was hired and should be starting November 28, 2005.
 - Agency legislation was submitted regarding background checks for all professions.
 - AAG to look at Physician Owned Practice – Melissa Burke-Cain, AAG will provide a report to the board at the next meeting.
 - Telehealth – Ms. Burke-Cain has not worked on this issue. She will contact Ms. Mays and follow-up at the next meeting.
 - Department of Health licensee database- The FSBPT has asked for our data to input into their system. The Board would like to know why FSBPT wants the data. Does APTA have an opinion on states providing this type of information to FSBPT. Are there FSBPT bylaws that address use of data.
 - Planning for Upcoming Meetings –
 - Draft language for sharp debridement rule
 - Draft language for EMG rule
 - Education Evaluation policy update
 - AAG report on physician owned practices
 - Report on student lectures
 - Jurisprudence Exam vs. Ethics education

7. **NEW LEGISLATIVE LANGUAGE** – The Board discussed the language in the new legislation regarding “other assistive personnel.” This definition was intended for educated practitioners (i.e. massage practitioners, athletic trainers, exercise physiologists). These individuals cannot be considered as physical therapist assistants and have in the past been titled as physical therapist aides. Since these individuals are well educated in their particular area, a different level of supervision should be addressed for them. Other assistive personnel could be further defined in WAC.
8. **STATUTES OF ONLINE RULES** – Joy King informed the Board regarding changes to the rules process. The department has started an online process improvement for rules. An online/electronic process was developed and the CR101 stage has been tested and currently working. The CR102 stage of rules is now being tested. This new online process will decrease the review times by having multiple individuals review documents at the same time versus passing the paperwork along after each individual reviews. Kris Waidely has been very involved in the testing process and likes the process improvements. Ms. Waidely will continue to update the Board on the process.

LUNCH BREAK at 11:55 a.m. scheduled to reconvene at 12:30 p.m.

9. **RULE DEVELOPMENT** – The Board discussed drafting rule language for Sharp Debridement and Electroneuromyographic Examinations. The Boards task is to define what is adequate education and training.

Gail McGaffick, Martin Ziontz, and Thomas Burghardt, DMP with the Podiatry Association provided documentation that outlined areas of core competencies to be considered when drafting language for sharp debridement. The documentation was compiled from independent research of nursing programs in Oklahoma and United Kingdom. Draft language should consider and recognize current and past education. Mr. Herr asked if self assessment tools could be addressed (is this the right word to use? It seems like “utilized” might be a better word) for assessing own competencies. Levels of initial education must be considered because of the differences of Bachelors vs. Masters vs. Doctoral degrees. Are courses readily available to practitioners who need education? Education is not enough alone for sharp debridement. The practitioners must have clinical experience. The board would like to have the number of required wound care hours with some hours specifically focused on sharp debridement. PTWA will help in establishing the required number of hours. Staff will provide draft language prior to the next meeting and the number of hours will be further discussed at the next rules workshop. Simple statements should be used and a grandfathering of experienced practitioners should be considered.

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Dyke Dickie, PT and Elaine Armantrout provided documentation regarding electroneuromyographic examinations. There is a specialty certification for clinical electrophysiology from the American Board of Physical Therapy

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Specialties. One idea for draft language is to require the certification or another idea is to require specified number of hours. The board prefers to identify required hours of clinical experience so it does not limit who may perform electroneuromyographic examinations. The board would like to have a number of required clinical hours. PTWA will help in establishing the required number of hours. Staff will provide draft language prior to the next meeting and the number of hours will be further discussed at the next rules workshop. Simple statements should be used and a grandfathering of experienced practitioners should be considered.

CLOSED SESSION – 2:10 p.m.

10. REVIEW OF APPLICATIONS

Applicant A – The education evaluation from ICA was not clear and the reviewing board member would like further information prior to giving a licensure recommendation to the full board. Staff will contact ICA for clarification and the file will be presented at the next meeting.

11. DISCIPLINARY CASE REVIEWS

Case # 2005-04-0001PT - Issue Statement of Allegations with Statement to Informal Disposition
Case # 2004-08-0003PT – Issue Statement of Charges

12. CONTINUING EDUCATION AUDITS - Board members reviewed one CE audit for compliance.

13. ADJOURNMENT - The meeting was adjourned at 4:05 p.m.

Respectfully submitted:

Approved:

Jennifer Bressi,
Program Support Manager

Charles Martin, PT, Chair

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